

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:07-CV-330-RJC-DCK**

DUKE POWER COMPANY LLC,)
d/b/a DUKE ENERGY CAROLINAS, LLC)

Plaintiff,)

v.)

UNITED STATES FIDELITY AND)
GUARANTY COMPANY,)

Defendant.)

ORDER

THIS MATTER IS BEFORE THE COURT on the “Joint Status Report And Consent Motion For Stay” (Document No. 35) filed July 16, 2008. This matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §636(b) and immediate review is appropriate.

Having carefully considered the motion, the record, and the applicable authority, the undersigned will grant the motion, with modification.

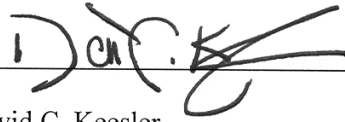
IT IS, THEREFORE, ORDERED that the “Joint Status Report And Consent Motion For Stay” (Document No. 35) is hereby **GRANTED**, with modification.

IT IS FURTHER ORDERED that the parties shall have additional time to attempt to negotiate a settlement of all claims; all deadlines in the current Pretrial Order and Case Management Plan will be suspended; and the parties are to submit a Status Report and a proposed revised Case Management Plan on or before **October 17, 2008**, in the event the case does not settle.

IT IS FURTHER ORDERED that in light of the current posture of this case, “Duke Energy’s Motion To Compel Discovery” (Document No. 20) is **DENIED WITHOUT PREJUDICE**. Plaintiff may refile at a later date if necessary.

SO ORDERED.

Signed: July 17, 2008

A handwritten signature in dark ink, appearing to read 'D.C. Keesler', written over a horizontal line.

David C. Keesler
United States Magistrate Judge

